

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

THOMAS W.S. RICHEY,

Petitioner,

V.

MIKE OBENLAND,

Respondent.

No. C13-5231 BHS/KLS

ORDER TO SHOW CAUSE

This case has been referred to United States Magistrate Judge Karen L. Strombom pursuant to 28 U.S.C. § 636(b)(1) and Local MJR 3 and 4. This matter comes before the Court on Petitioner’s filing of an application to proceed *in forma pauperis* (IFP) and proposed petition for writ of habeas corpus. ECF No. 1. In his IFP application, Petitioner states that he has “no money on my account. Zero.” *Id.*, p. 2. However, he states that he received \$1,450.00 in settlement funds within the last twelve months and an attached trust account statement dated March 8, 2013 shows that he has average monthly receipts of \$359.21 and an average monthly spendable balance of \$116.68. The filing fee for a habeas petition is \$5.00. Based on the information provided by Petitioner, the Court is unable to determine whether he should be granted IFP.

Accordingly, it is **ORDERED**:

(1) Petitioner shall show cause why his IFP application should not be denied **on or before April 19, 2013**. Alternatively, Petitioner may pay the \$5.00 filing fee before that date.

1 Failure to show cause or pay the amount shall be deemed a failure to properly prosecute this
2 matter and the Court will recommend dismissal of this matter.

3 (2) The Clerk is directed to send a copy of this Order to Petitioner

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5 **DATED** 29th day of March, 2012.

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10 Karen L. Strombom
11 United States Magistrate Judge
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